



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SANDRA GUZMAN,

Plaintiff,

vs.

NEWS CORPORATION, NYP HOLDINGS,  
INC., d/b/a THE NEW YORK POST,  
and COL ALLAN, in his official and  
individual capacities,

Defendants.  
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Civil No.: 09 CV 9323 (BSJ)(RLE)

**ORDER**

**WHEREAS**, on February 23, 2012, Defendants, through their counsel, personally served non-party Ebony Clark with a subpoena in accordance with Federal Rule of Civil Procedure 45, commanding her to appear for a deposition and to produce certain documents (the "Subpoena");

**WHEREAS**, the record before the Court demonstrates that Ms. Clark failed to comply with her Subpoena obligations and did not appear for her deposition;

**WHEREAS**, on March 29, 2012, Defendants moved this Court for an Order compelling Ms. Clark to comply with the Subpoena;

**WHEREAS**, during the conference held on April 17, 2012, this Court found that good cause existed to compel Ms. Clark to comply with the Subpoena, and issued an Order on April 24, 2012, subsequently revised on May 2, 2012 to provide for alternative means of service, compelling Ms. Clark to appear for deposition at 10:00 am on May 8, 2012 at the offices of Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway, New York, New York (collectively, the "April 24 Order");

**WHEREAS**, the record demonstrates that Ms. Clark was served on May 2, 2012 in accordance with the April 24 Order;

**WHEREAS**, the record before this Court demonstrates that Ms. Clark did not appear for deposition or produce any documents on May 8, 2012 in compliance with her obligations under the April 24 Order;

**NOW, THEREFORE, IT IS HEREBY ORDERED**, for good cause being shown, that Ebony Clark shall appear to testify at a deposition to be held on May 30, 2012, at 10:00 a.m., at the law offices of Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway, New York, NY 10019, and shall produce at such time all the documents described in the Subpoena; and

**IT IS FURTHER ORDERED** that Counsel for Defendants shall serve a copy of this Order on Ms. Clark via e-mail, to [ebonyclark05@gmail.com](mailto:ebonyclark05@gmail.com), and via posting at 668 E. 219<sup>th</sup> St., Bronx, New York, 10467, not later than May 25, 2012.

**SO ORDERED** this 23<sup>rd</sup> day of May, 2012

A handwritten signature in black ink, appearing to read "Ronald L. Ellis", written over a horizontal line.

RONALD L. ELLIS  
UNITED STATES MAGISTRATE JUDGE